

2022 Regular Session

HOUSE BILL NO. 64

BY REPRESENTATIVE LANDRY

1 AN ACT

2 To amend and reenact Children's Code Articles 323(2)(a), 324(B), and 1103(3), Code of
3 Criminal Procedure Article 571.1, and R.S. 15:440.2(C)(1), relative to the definition
4 of a child; to provide in certain contexts that a child is a person under the age of
5 eighteen years; to provide for definitions; to provide for the videotaping of
6 statements; to provide for time limitations for certain sex offenses; and to provide for
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Children's Code Articles 323(2)(a), 324(B), and 1103(3) are hereby
10 amended and reenacted to read as follows:

11 Art. 323. Definitions

12 * * *

13 (2) "Protected person" means any person who is a victim of a crime or a
14 witness in a juvenile proceeding and who either:

15 (a) Is under the age of ~~seventeen~~ eighteen years.

16 * * *

17 Art. 324. Authorization

18 * * *

19 B. The coroner may, in conjunction with the district attorney and appropriate
20 hospital personnel and pursuant to their duties in R.S. 40:2109.1 and R.S. 40:2113.4,
21 provide for the videotaping of the statements of children under the age of ~~seventeen~~

1 eighteen who present themselves or who are brought to a hospital for treatment as
2 victims of rape or who have been otherwise physically or sexually abused.

3 * * *

4 Art. 1103. Definitions

5 As used in this Title:

6 * * *

7 (3) "Child" means a person under ~~seventeen~~ eighteen years of age and not
8 emancipated by marriage.

9 * * *

10 Section 2. Code of Criminal Procedure Article 571.1 is hereby amended and
11 reenacted to read as follows:

12 Art. 571.1. Time limitation for certain sex offenses

13 Except as provided by Article 572 of this Chapter, the time within which to
14 institute prosecution of the following sex offenses, regardless of whether the crime
15 involves force, serious physical injury, death, or is punishable by imprisonment at
16 hard labor shall be thirty years: attempted first degree rape, also formerly titled
17 aggravated rape (R.S. 14:27, R.S. 14:42), attempted second degree rape, also
18 formerly titled forcible rape (R.S. 14:27, R.S. 14:42.1), sexual battery (R.S. 14:43.1),
19 second degree sexual battery (R.S. 14:43.2), oral sexual battery (R.S. 14:43.3),
20 human trafficking (R.S. 14:46.2(B)(2) or (3)), trafficking of children for sexual
21 purposes (R.S. 14:46.3), felony carnal knowledge of a juvenile (R.S. 14:80), indecent
22 behavior with juveniles (R.S. 14:81), pornography involving juveniles (R.S.
23 14:81.1), molestation of a juvenile or a person with a physical or mental disability
24 (R.S. 14:81.2), prostitution of persons under eighteen (R.S. 14:82.1), enticing
25 persons into prostitution (R.S. 14:86), crime against nature (R.S. 14:89), aggravated
26 crime against nature (R.S. 14:89.1), crime against nature by solicitation (R.S.
27 14:89.2(B)(3)), that involves a victim under ~~seventeen~~ eighteen years of age. This
28 thirty-year period begins to run when the victim attains the age of eighteen.

1 Section 3. R.S. 15:440.2(C)(1) is hereby amended and reenacted to read as follows:

2 §440.2. Authorization

3 * * *

4 C. For purposes of this Part "protected person" means any person who is a
5 victim of a crime or a witness in a criminal proceeding and who is any of the
6 following:

7 (1) Under the age of ~~seventeen~~ eighteen years.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____